

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTHERN CALIFORNIA (SAN FRANCISCO)

**Form 1. Notice of Appeal from a Judgment or Order of a
United States District Court**

U.S. District Court case number: 3:20-CV-09247-SI

Notice is hereby given that the appellant(s) listed below hereby appeal(s) to the United States Court of Appeals for the Ninth Circuit.

Date case was first filed in U.S. District Court: 12/21/2020

Date of judgment or order you are appealing: 07/07/2022

Docket entry number of judgment or order you are appealing: 385 (See Attachment A)

Fee paid for appeal? (*appeal fees are paid at the U.S. District Court*)

☒ Yes ☐ No ☐ IFP was granted by U.S. District Court

List all Appellants (*List each party filing the appeal. Do not use "et al." or other abbreviations.*)

Anantha Srirama

Is this a cross-appeal? ☐ Yes ☒ No

If yes, what is the first appeal case number?

Was there a previous appeal in this case? ☐ Yes ☒ No

If yes, what is the prior appeal case number?

Your mailing address (if pro se):

City: State: Zip Code:

Prisoner Inmate or A Number (if applicable):

Signature /s/ Patrick M. Costello

Date 08/04/2022

Complete and file with the attached representation statement in the U.S. District Court

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 6. Representation Statement

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>

Appellant(s) (List *each* party filing the appeal, do not use “et al.” or other abbreviations.)

Name(s) of party/parties:

Anantha Srirama

Name(s) of counsel (if any):

Patrick M. Costello, Esq.
Vectis Law

Address: 1900 S. Norfolk Street, Suite 350, San Mateo, CA 94403

Telephone number(s): 650-320-1688

Email(s): pcostello@vectislawgroup.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellee(s) (List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)

Name(s) of party/parties:

David Stapleton, Receiver

Name(s) of counsel (if any):

Kyra E. Andrassy, Esq.
Smiley Wang-Ekvall, LLP

Address: 3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626

Telephone number(s): 714-445-1000

Email(s): kandrassy@swelawfirm.com

To list additional parties and/or counsel, use next page.

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Is counsel registered for Electronic Filing in the 9th Circuit? ☐ Yes ☐ No

Appellees

Name(s) of party/parties:

Acres Loan Origination, LLC

Name(s) of counsel (if any):

H. Mark Mersel

Address: 1920 Main Street, Suite 1000, Irvine, CA 92614

Telephone number(s): 949-223-7000

Email(s): mark.mersel@bclplaw.com

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Attachment A to Notice of Appeal

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Counsel for David Stapleton, Receiver

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

SILICONSAGE BUILDERS, LLC aka
SILICON SAGE BUILDERS and
SANJEEV ACHARYA,

Defendants.

Case No. 3:20-cv-09247-SI

~~[PROPOSED]~~ **ORDER GRANTING
MOTION OF RECEIVER, DAVID
STAPLETON, FOR ORDER REJECTING
CERTAIN PURCHASE AND SALE
AGREEMENTS**

Date: June 17, 2022
Time: 10:00 a.m.
Crtrm.: 1 – 17th Floor (hearing via Zoom)
Judge: Susan Illston

At the above date and time, the Court held a hearing on the *Motion of Receiver, David Stapleton, for Order Rejecting Certain Purchase and Sale Agreements* (the "Motion"). Appearances were as noted on the record. For the reasons urged in the Motion and stated on the record and the Court having found that the Receiver is exercising his business judgment,

IT IS ORDERED AS FOLLOWS:

- (1) The Motion is granted;
- (2) The Receiver is authorized to reject the purchase agreements for the following units effective upon entry of this Order:

Party to Purchase Agreement(s)	Units Under Contract
Sangeeth and Sindhu Peruri Living Trust Dated November 5, 2009	202, 216, 410, 424, and 530 at Osgood
Sangeeth and Sindhu Peruri Living Trust Dated November 5, 2009	218, 415, 428, 504 and 511 at Osgood
Anantha Srirama	232 at Osgood
Anantha Srirama	205 at Almaden
Marwan Hassan Naboulsi	222 and 423 at Almaden
Ravi Jagannathan	206 at Almaden

(3) Paragraphs 5 and 6 of the *Further Amended Order Granting Motion of Receiver, David Stapleton, for Order: (1) Approving Construction Funding Agreement with Acres Capital; (2) Authorizing Employment of Special Real Estate Counsel; (3) Approving the Form of the Condominium Purchase Agreement and Authorizing the Sale of Those Units Free and Clear of Liens* [Document 274] (the "Amended Order") are modified to provide that for each project, after Acres Loan Origination is paid in full as required by the Amended Order and the Construction Funding Agreement it approved, as amended, the Receiver will hold the remaining net proceeds in escrow or a segregated account subject to all liens, claims, and encumbrances, pending a further Court order regarding the validity and priority of the liens, claims, and encumbrances and the disposition of the proceeds; and

(4) To the extent necessary, the *Order on Plaintiff Securities and Exchange Commission's Motion for Appointment of Receiver* is modified to permit the purchasers whose contracts are being rejected to seek recovery from any bonding company that posted a bond that permitted the release of deposits to Osgood or Almaden prior to the close of escrow, with all parties reserving all rights and defenses with respect to any such claims.

1
2 Dated: July 7, 2022



SUSAN ILLSTON

United States District Judge

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